



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

March 12, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ADOPT AND ADVERTISE
WATER TANK REFURBISHMENT
DISTRICT NO. 29 TANK RECOATING AND RETROFITS, PHASE III
IN THE UNINCORPORATED COMMUNITIES OF FERNWOOD AND MONTE NIDO
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action is to approve the project to paint and retrofit three existing water tanks for District No. 29 Tank Recoating and Retrofits, Phase III, for Waterworks District No. 29, in the unincorporated communities of Fernwood and Monte Nido; find the project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and environmental plans for a fee not to exceed \$13,000; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF
THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

2. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Water Tank Refurbishment, District No. 29, Tank Recoating and Retrofits, Phase III, in the unincorporated communities of Fernwood and Monte Nido, at an estimated construction contract cost between \$550,000 and \$650,000.
3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on April 16, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$13,000 funded by existing project funds.
5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from the Board, acting as the governing body of the Los Angeles County Waterworks District No. 29, adopt the plans and specifications; advertise for bids; authorize the Director of Public Works (Director) or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$13,000 funded by existing project funds; and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and environmental plans that conform to the County of Los Angeles' (County)

specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the apparent lowest bidder fails to complete acceptable deliverables, the Department of Public Works (Public Works) may return to the Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables which conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing the residents and property owners within the Waterworks District with a more reliable water supply system.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$550,000 to \$650,000. The total project cost is estimated to be \$1,060,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, survey, inspection, contract administration, change order contingency, and other County services.

Financing for this project is included in the Fiscal Year 2012-13 Accumulative Capital Outlay Fund of the Los Angeles County Waterworks District No. 29.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the painting and retrofitting of three water tanks, is part of Public Works' ongoing program for the maintenance and repair of water systems. It will be advertised in accordance with Section 20602 of the State Public Contract Code.

This project is to be completed in 70 working days. It is estimated the work will start in November 2013 and be completed in January 2014.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Section 15302 of the California Environmental Quality Act Guidelines, and Class 1, Subsection (b) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the

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Board on November 17, 1987. These exemptions provide for upgrading and maintaining of existing water tank facilities.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Board will be made after review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing residents and property owners within the Waterworks District with a more reliable water supply system.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,



GAIL FARBER
Director of Public Works

GF:JTS:lg

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide Contract Compliance)